

to employers, and knowing that the spider bill has both merit and justice in it, as secretary of the Electrical Workers' Union I am wiring and urging your most hearty co-operation in support and passage of said spider bill as endorsed by the Joint Labor Legislative Board of Texas. Please print in Journal.

G. W. COOK.

El Paso, Texas, August 22, 1910.

Hon. C. B. Hudspeth, Austin, Texas.

The Bricklayers and Masons Union of El Paso urge you to work for and vote for the passage of the spider bill as endorsed by the Joint Labor Legislative Board of Texas. Please print in Journal.

FRANK E. SAMUELS, Secretary.

By Senator Adams:

Brownwood, Texas, August 22, 1910.

Hon. W. N. Adams, Austin, Texas:

Please support the spider bill in present session of Senate. Please print in Journal.

W. P. RICHEY,  
C. A. PERKINS,  
Committee.

By order of Local Union 136, Carpenters and Joiners of America.

#### COMMITTEE REPORT.

Committee Room,  
Austin, Texas, August 23, 1910.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 7, A bill to be entitled "An Act providing conditions, additional to those now imposed by law, upon which insurance companies issuing policies of fire, marine, or fire and marine insurance on property in this State shall transact business in this State; to create a State Fire Rating Board, provide for their appointment and fix their powers and compensation; to authorize said board to pass such rules and regulations as are necessary to fix reasonable rates of premiums of fire insurance on property located in this State; to authorize said board to employ such clerical force and other assistance as may be necessary in carrying on the business of the office of said board; providing an appropriation for the payment of the expense of such clerical force, and other necessary expenses and

the salaries of said board; to authorize said companies to file rates of premiums and commissions to agents with said board and with the agents of said companies, and to keep open for public inspection all such schedules or rates of fire insurance; to authorize the revocation of the license of insurance companies to do business in this State for violation of the orders of said board; to require all persons having to give evidence with reference to the violation of said act, or the orders of said board; and to make mutual fire insurance companies limit their business to the county in which their home office is situated, except where a bond is filed with the Department of Insurance, and declaring the violations of its provisions a misdemeanor and providing a penalty; to provide for the time when this act shall go into effect and for the repeal of all laws in conflict herewith, and declaring an emergency."

And find the same correctly engrossed.  
WARD, Chairman.

#### FIFTH DAY.

Senate Chamber,  
Austin, Texas,

Wednesday, August 24, 1910.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, quorum being present, the following Senators answering to their names:

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Ratliff.
Cofer.	Real.
Greer.	Senter.
Harper.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Terrell of Wise.
Kauffman.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	

Absent—Excused.

Willacy.

Prayer by Rev. H. B. Phillips, of Austin.

Pending the reading of the Journal of yesterday, on motion of Senator Kellie, the same was dispensed with.

(See Appendix for petitions, memorials and committee reports.)

## FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, August 24, 1910.

Hon. A. B. Davidson, President of the  
Senate.

Sir: I am directed by the House to  
inform the Senate that the House has  
passed the following bills:

House bill No. 3, A bill to be entitled  
"An Act to require persons and cor-  
porations, or receivers, engaged in con-  
structing or repairing railroad cars,  
trucks or other railroad equipment, not  
including locomotives, to erect and main-  
tain buildings for the protection from  
rain, wind or other inclement weather,  
employees engaged in constructing or re-  
pairing railroad cars, trucks and other  
railroad equipment and providing penal-  
ties for the violation of this act, and  
regulating penalties and repealing Chap-  
ter 53, Acts of the Thirty-first Legis-  
lature of the State of Texas, entitled  
'An Act to require all railroad com-  
panies doing business in this State to  
provide suitable premises and shelter  
for the protection from the weather of  
their employees while engaged in labor in  
the service of said railroad companies,  
and declaring an emergency.'"

House bill No. 8, A bill to be entitled  
"An Act to require persons, firms, cor-  
porations and associations of persons  
engaged in compressing cotton in this  
State to so bind and tie all bales of  
cotton so that no bale of cotton by  
them compressed, recompressed, baled  
or rebaled, shall be delivered to any  
railroad company or other common car-  
rier unless the same is free from dan-  
gerously exposed ends of bands or any  
exposed or any obtruding dangerous  
part of the ties, bands, buckles or  
splices used in tying or baling such  
bale of cotton; and to provide penalties  
therefor; and prescribing the duties of  
the Commissioner of Labor, and mak-  
ing an appropriation for the Bureau of  
Labor Statistics, and providing for an-  
nual accounting by said Commissioner  
of Labor, and declaring an emergency."

Also reconsidered the vote by which  
Senate bill No. 2 was passed and re-  
quests the Senate to return the bill for  
further consideration.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

## BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Da-  
vidson) had referred, after their cap-

tions had been read, the following House  
bills:

House bill No. 3, referred to Com-  
mittee on Internal Improvements.

House bill No. 8, referred to Judi-  
ciary Committee No. 1.

## SIMPLE RESOLUTION.

By Senator Harper:

Resolved, That the Secretary of the  
Senate be allowed postage for the Fourth  
Called Session in amount not to exceed  
\$3, to be paid out of the contingent  
expense fund.

The resolution was read and adopted.

## BILLS AND RESOLUTIONS.

By Senator Murray:

Senate Concurrent Resolution No. 1:

Whereas, On the night of August —,  
1910, a company of State Rangers were  
led into a trap and fired upon from  
ambush, resulting in the killing of two  
Rangers and the serious wounding of  
two others; therefore, be it

Resolved by the Senate, the House  
concurring, That the Governor be and he  
is hereby authorized to offer a reward  
of not exceeding five thousand dollars  
for the arrest and conviction of the  
guilty party or parties, said reward to  
be paid upon such conditions as the Gov-  
ernor may prescribe.

For the purpose of carrying into effect  
the provisions of this resolution, there  
is hereby appropriated out of any money  
in the State Treasury not otherwise ap-  
propriated the sum of five thousand dol-  
lars, or so much thereof as may be  
necessary to pay such reward as the  
Governor may see proper to offer.

MURRAY,  
WEINERT,  
HUDSPETH,  
KAUFFMAN,  
PEELER,  
HUME.

The resolution was read first time,  
and referred to Finance Committee.

SENATE BILL NO. 2—FREE CON-  
FERENCE COMMITTEE ON.

In accordance with a motion made  
and adopted yesterday, providing for a  
Free Conference Committee on Senate  
bill No. 2, the Chair appointed the fol-  
lowing as the Free Conference Commit-  
tee on Senate bill No. 2: Senators

Alexander, Harper, Kauffman, Murray and Peeler.

REQUEST OF HOUSE FOR RETURN  
OF SENATE BILL NO. 2 RE-  
FUSED.

The Chair laid before the Senate the request from the House to return Senate bill No. 2 for further consideration (see House message for request).

Senator Watson made a point of order on the above request to return the bill to the House for further consideration, that the bill was in the hands of the Free Conference Committee and could not be considered in this way, as it was not before the Senate.

(Senator Alexander was called to the chair.)

Pending discussion on the above point of order, the Chair (Senator Alexander) sustained the same.

BILL SIGNED.

The Chair (Lieutenant Governor Davidson) gave notice of signing and did sign, in the presence of the Senate, after its caption had been read, the following bill:

Senate bill No. 1, "An Act appropriating the sum of fifty thousand dollars, or so much thereof as may be necessary, out of the public revenue not otherwise appropriated, to pay per diem of members and per diem of officers and employes of the Fourth Called Session of the Thirty-first Legislature of Texas, and declaring an emergency."

ADJOURNMENT.

There being nothing on the calendar, On motion of Senator Watson, the Senate, at 11 o'clock a. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, August 24, 1910.

Hon. A. B. Davidson, President of the Senate.

Sir: We, our Committee on In-

ternal Improvements, to whom was referred Senate bill No. 6, have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed, but that same be printed in the Journal.

BRACHFIELD, Chairman.

Following is the bill in full:

S. B. No. 6. By Senators Peeler, Harper, Kellie, Bryan and Cofer.

A BILL

To Be Entitled

An Act to amend Articles 4549 and 4550 of Chapter 11, Title 94 of the Revised Statutes of the State of Texas, and prescribe the conditions upon which the purchaser or purchasers, and associates, if any, of the property and franchises of a railroad company may become owners of its charter, or may organize a new corporation, and governing, regulating and limiting the stocks and bonds of the new corporation, and of the old corporation, after the sale of its property and franchises, and declaring an emergency.

Section 1. Be it enacted by the Legislature of the State of Texas: That Articles 4549 and 4550 of Chapter 11, Title 94 of the Revised Statutes of the State of Texas be so amended as to hereafter read as follows:

Article 4549. In case of the sale of the property and franchises of a railroad company, whether by virtue of an execution, order of sale, deed of trust, or any other power, or by a receiver acting under judgments, heretofore or to be hereafter rendered by any court of competent jurisdiction, the purchaser or purchasers at such sale, and associates, if any, shall acquire full title to such property and franchises, with full power to maintain and operate the railroad and other property incident to it, under the restrictions imposed by law; provided, however, that said purchaser or purchasers, and associates, if any, shall not be deemed and taken to be the owners of the charter of the railroad company and corporations under the same, nor vested with the powers, rights, privileges and benefits of such charter ownership, as if they were the original



corporators of said company, unless the purchaser or purchasers, and associates, if any, shall agree to take and hold said property and franchises, charged with, and subject to the payment of, all subsisting liabilities and claims, for death and for personal injuries sustained in the operation of the railroad, by the company and by any receiver thereof, and for loss of, and damage to property, sustained in the operation of the railroad by the company and by any receiver thereof, and for the current expenses of such operation, including labor, supplies and repairs, such agreement to be evidenced by an instrument in writing, signed and acknowledged by said purchaser or purchasers, and associates, if any, and filed in the office of the Secretary of State of the State of Texas; and, provided further, that such charter, together with the powers, rights, privileges and benefits thereof shall pass to said purchaser or purchasers, and associates, if any, subject to the terms, provisions, restrictions and limitations imposed and to be imposed by law; and, provided further, that the amount of stock and bonds which may be held against said property and franchises, after the sale thereof, as well as the manner of issuance of such stock and bonds shall be fixed, determined and regulated by the Railroad Commission of Texas, at its discretion, save that the total encumbrance secured by lien on said property and franchises shall not exceed the amount allowed by Article 4584b of the Revised Statutes of Texas of 1895.

Article 4550. In case of any sale heretofore or hereafter made of the property and franchises of a railroad company, within this State, the purchaser or purchasers thereof, and associates, if any, shall be entitled to form a corporation, under Chapter 1 of Title 94 of the Revised Statutes of Texas for the purpose of acquiring, owning, maintaining and operating the road so purchased, as if such road were the road intended to be constructed by the corporation, and when such charter has been filed the new corporation shall have the powers and privileges then con-

ferred by the laws of this State upon chartered railroads, including the power to construct and extend; provided that, notwithstanding such incorporation, the property and franchises so purchased shall be charged with and subject to the payment of all subsisting liabilities and claims, for death and personal injuries sustained in the operation of the railroad by the sold-out company and by any receiver thereof, and for loss of and damage to property, sustained in the operation of the railroad by the sold-out company and by any receiver thereof, and for the current expenses of such operation, including labor, supplies and repairs; and provided that, by such purchase and organization, no right shall be acquired in conflict with the present Constitution and laws, in any respect, nor shall the main track of any railroad once constructed and operated be abandoned or removed; and, provided further, that the amount of stock and bonds which may be issued by said new corporation, as well as the manner of their issuance, shall be fixed, determined and regulated by the Railroad Commission of Texas, at its discretion, save that the total encumbrance secured by lien on said property and franchises shall not exceed the amount allowed by Article 4584b of the Revised Statutes of Texas of 1895.

Sec. 2. That this act shall not be construed to in anywise repeal or impair the provisions of Chapter 14, Title 94 of the Revised Statutes of the State of Texas, except in so far as the same may be changed by the provisions of this act.

Sec. 3. Whereas, there is no provision in the laws of this State for any return from purchasers of railroad properties for valuable privileges and no adequate regulation of stocks and bonds against sold-out railroad properties, there exists an imperative public necessity and emergency for the suspension of the rule requiring bills to be read on three several days in each house, and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is hereby so enacted.

Committee Room,  
Austin, Texas, August 23, 1910.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 1, and find it correctly enrolled, and have this day, at 10:40 o'clock a. m., presented same to the Governor for his approval.

TERRELL of McLennan, Chairman.

Following is the bill in full:

An Act appropriating the sum of \$50,000, or so much thereof as may be necessary, out of the public revenue, not otherwise appropriated, to pay per diem of members and per diem of officers and employes of the Fourth Called Session of the Thirty-first Legislature of Texas, and declaring an emergency.

Be it enacted by the Thirty-first Legislature of Texas:

Section 1. That the sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated out of any public moneys, not otherwise appropriated, to pay per diem of members and per diem of officers and employes of the Fourth Called Session of the Thirty-first Legislature.

Sec. 2. The fact that there is no appropriation available for the payment of per diem of members and per diem of officers and employes, creates an emergency, and an imperative necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

#### PETITIONS AND MEMORIALS.

By Senator Meachum:

Whereas, The fire insurance companies of this State have just issued a schedule of rates applicable to the business and commercial risks of Huntsville, Texas; and

Whereas, Said rates show an extraordinary increase over those which have obtained in said city for years, said increase ranging from 50 to 75 per cent in many cases, and even more in some cases; and

Whereas, Said increased rates were formulated and issued by an arbitrary and autocratic committee, acting on be-

half of every insurance company in this State, without consultation with or explanation or notice to any of our individual insurers; and

Whereas, We believe that the action of said committee in so increasing our rates as aforesaid is arbitrary, unjust and uncalled for by any circumstances respecting the risks carried by insurance companies in said city; and

Whereas, We further believe that such action of said committee, or rating board, is contrary to the genius of our institutions and especially contradictory of and antagonistic to our State anti-trust laws and was never demanded by the voice of the people of this State; now, therefore, be it

Resolved by the Business League of the City of Huntsville, Texas, in called session assembled, that we unqualifiedly condemn the present Fire Rating Law as being detrimental to the best interests of our people, and especially do we oppose the recent innovation of the insurance companies whereunder they attach what is termed a co-insurance clause to all policies written upon business or commercial risks, which, we think, inequitable, unfair and unreasonable.

We earnestly request our Senator and Representatives in the Texas Legislature to vote for the repeal of the present Fire Rating Law and the enactment of a new law which shall attempt to establish a maximum rate only on all risks and leave the minimum rates to be determined by competition between the companies, firmly believing that the competitive system is always in line with American traditions and the best interest of the people. In this connection, we especially commend the bill as passed by the Texas Senate on the 22nd day of August, 1910.

We especially urge and petition the Fire Rating Board of this State to give to us all possible relief from the schedule of rates on business and commercial risks first referred to hereinbefore, which rates we declare to be outrageous, confiscatory and unreasonable in every respect.

The above resolutions were unanimously adopted on the 22nd day of August, 1910, by the Huntsville Business League, and its officers were instructed to furnish copies to the Senator and Representatives from this district in the Texas Legislature, and also the State Fire Rating Board.

S. S. FELDER, President.

Attest: J. P. LEE, Secretary.

By Senator Murray:

Victoria, Texas, August 23, 1910.

W. O. Murray, Senator Twenty-second District, Austin, Texas:

The Carpenters' Union, Local 1842, of Victoria, Texas, makes a unanimous request of you to support the "Spider Bill" in the Senate. We want it without any restricting amendments. Please print in Journal.

E. H. MILLER, Vice-President.

By Senator Peeler:

Austin, Texas, August 24, 1910.

Hon. John L. Peeler, Austin, Texas.

At last night's session of the Austin Trades Council I was instructed to ask you to support the "Spider Bill" as promoted by our Legislative Board, as this is one of our preferred measures. We are deeply concerned in its passage. Hoping you may see your way clear to support this bill and with best wishes, I am, yours truly.

CHARLES J. ARMSTRONG,  
Cor. and Fin. Secretary.

Georgetown, Texas, August 22, 1910.

Resolved, That Local Union No. 572, United Brotherhood of Carpenters and Joiners of America, unanimously endorse House bill known as the "Spider Bill," and now pending before the State Senate; and further

Resolved, That we, the members of said union at Georgetown, Texas, request and urge our State Senator, the Hon. John Peeler, to vote for and urge the adoption of said bill.

WAYNE BOHANNAN, President.  
C. B. LUNSFORD, Rec. Sec. Pro Tem.

Austin, Texas, August 22, 1910.

Hon. Jno. L. Peeler, Senate Chamber, Austin, Texas.

Dear Sir: Austin Typographical Union No. 138 respectfully asks you to use your influence in securing the passage of the "Spider Bill" now before the Senate. This is an important measure to the State Federation of Labor, and we would appreciate any assistance you give to it. Please print in Journal. Respectfully,

AUSTIN TYPOGRAPHICAL UNION  
NO. 138.

J. B. STEPHENSON, President.

J. A. PADDLEFORD, Sec.-Treas.

Hon. J. L. Peeler, Austin, Texas.

Dear Sir: As Secretary of Local No. 118, I. B. of B., I am requested by the

membership to write you urging you to stand by organized labor in regard to the "Spider Bill." It is the bill that J. B. Strother of Waco is backing, I believe. Trusting you will do the right thing in this matter, I take this opportunity of thanking you for what you have done and will do in the future for us. Very respectfully,

W. J. BLEDSOE, Secretary.

By Senator Senter:

Dallas, Texas, August 23, 1910.

E. G. Senter, Senator, Austin, Texas.

Lone Star Lodge No. 17, B. R. C. of A., urges you to again take out the "Car Shed Bill" at once and use your influence to secure its passage.

B. F. GREEN, Secretary.

Dallas, Texas, August 23, 1910.

Senator Senter, Senate Chamber, Austin.

Dallas labor unions urge passage of "Spider Bill." Print in Journal.

R. H. CAMPBELL,  
V.-P. Texas Federation of Labor.

Dallas, Texas, August 23, 1910.

Hon. Senator Senter, care State Legislature, Austin, Texas.

Dear Sir: At our last meeting the Barbers' Union of Dallas endorsed the "Spider Bill" and instructed me as their secretary to ask you to do all you can for that bill. Thanking you in advance, yours respectfully,

A. W. FAUCHER, Secretary.

Dallas, Texas, August 23, 1910.

Senator E. G. Senter, Austin.

Every member of Federal Labor, United, hopes you will actively support the "Spider Bill," not only with your vote, but with your powerful arguments and live ability. Please print this in the Journal.

GEO. CLIFTON EDWARDS.

By Senator Veale:

Dalhart, Texas, August 23, 1910.

Mr. John W. Veale, State Senator, Austin, Texas.

We, the Brothers of Railway Carmen of America, Dalhart Lodge No. 233, respectfully urge you to give your support to a car shed bill that has the endorsement of our chairman and the Labor Department.

T. N. CORRELL, Fin. Secretary.



By Senator Cofer:

Sherman, Texas, August 23, 1910.

Hon. R. E. Cofer, State Senator, Austin, Texas.

Carpenters' Union, No. 197, as members of the Texas State Federation of Labor, joins organized labor in demanding that the Senate pass the well-known "Spider Bill." We demand that you use your vote and influence to get this bill passed. Please print in the Journal.

W. A. BROWN, Secretary.

Denison, Texas, August 23, 1910.

Mr. R. E. Cofer, care Senate Chamber, Austin.

Tinners' Local 179 endorses the "Spider Bill" and would like you to do all in your power to have it passed and all other bills in favor of labor. Please have this printed in the Journal.

W. M. CREIGHTON,  
Fin. and Rec. Secretary.

By Senator Terrell of Bowie:

Texarkana, Texas, Aug. 23, 1910.

Hon. J. M. Terrell, Austin, Texas.

At a meeting of the Central Labor Council last night a resolution was adopted to request that you vote for the "Spider Bill" now pending. Anything you can do for this bill will be appreciated by this body. Please print in Journal.

TEXARKANA CENTRAL LABOR  
COUNCIL.

W. H. VONTIERCKS, President.

C. E. WHITE, Secretary.

By Senator Bryan:

Big Springs, Texas, Aug. 22, 1910.

W. J. Bryan, State Senator, Austin.

We, the J. R. C. of A. urge you to support the "Car Shed Bill" now pending in the Legislature.

E. O. PRITCHARD,

D. H. CLINGAN,

S. H. WALLIS,

Local Protective Board.

Baird, Texas, August 22, 1910.

Hon. W. J. Bryan, State Senator, Austin, Texas.

The members of Baird Lodge, No. 228, B. R. C. of A., of Baird, urge you to use your influence and support the "Car Shed Bill" that has the endorsement of our chairman, G. T. Johnson, and Labor Department. Respectfully,

I. M. ANDREWS.

## SIXTH DAY.

Senate Chamber,

Austin, Texas,

Thursday, August 25, 1910.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, quorum being present, the following Senators answering to their names:

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Ratliff.
Bryan.	Real.
Cofer.	Senter.
Harper.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Terrell of Wise.
Kauffman.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

Absent.

Greer.

Meachum.

Absent—Excused.

Willacy.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Cofer, the same was dispensed with.

(See Appendix for petitions, memorials and committee reports.)

## FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, August 25, 1910.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 14, A bill to be entitled "An Act to make an appropriation for one clerk for the Commissioner of Pensions for the year ending December 31, 1910, and declaring an emergency."

Also grants the request of the Senate for a Free Conference Committee on Senate bill No. 2, and the following has been appointed on the part of the House: Messrs. O'Bryan, Cox, Porter, Ross and Kennedy.

Also adopted the Free Conference Com-